

Message Text

CONFIDENTIAL

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ACTION EA-09

INFO OCT-01 ISO-00 SSO-00 SS-15 INR-07 DHA-02 ORM-02 SCA-01

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O 070313Z NOV 74

FM AMEMBASSY MANILA

TO SECSTATE WASHDC IMMEDIATE 9196

C O N F I D E N T I A L MANILA 15625

STADIS////////////////////////////////////

E.O. 11652: GDS

TAGS: PINS, RP

SUBJECT: POLITICAL ASYLUM FOR FILIPINOS

REF: EA/PHL OCTOBER 28 LETTER

1. EMBASSY AWARE OF PRESSURES ON STATE TO ACCORD POLITICAL ASYLUM TO FILIPINO EMIGRES INCLUDING IMPLICATIONS OF COURT ACTION BY MIJARES BUT IS SURPRISED THAT PRESSURES HAD REACHED POINT WHERE STATE FELT IT HAD TO ABANDON EXTENDED STAY PROCEDURE AS INDICATED IN EA/PHL LETTER RE HEHERSON ALVAREZ.

2. RECOGNIZING REQUIREMENT THAT STATE RESPOND TO INS ON THESE MATTERS, EMBASSY REQUESTS THAT STATE ESTABLISH PRACTICE IN FUTURE OF CONSULTING WITH EMBASSY PRIOR RPT PRIOR TO FORMULATING REPLY TO INS. EMBASSY CAN PROVIDE USEFUL ASSISTANCE ON SUBSTANCE OF REPLY. IN MRS. EZPELETA'S CASE, FOR EXAMPLE, CLAIM OF PERSECUTION WOULD HAVE NO BASIS IN FACT AND SHOULD NOT BE ACKNOWLEDGED.

3. IN ADDITION TO SUBSTANCE OF REPLY, EMBASSY STRONGLY BELIEVES THAT FORM OF REPLY IS IMPORTANT. WE ASSUME STATE DOES NOT PUBLICIZE RECOMMENDATIONS TO INS ON THESE MATTERS. WE HAVE NO DOUBT WHATSOEVER, HOWEVER, THAT EMIGRE PRESS WILL QUICKLY OBTAIN AND MAKE USE OF GROUNDS ON WHICH APPLICANTS SUCCESSFULLY OBTAIN POLITICAL ASYLUM

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SINCE EACH GRANT OF ASYLUM CAN BE CONSTRUED TO APPEAR AS

OFFICIALLY ENDORSED CONDEMNATION OF PHILIPPINES. WE
ACCORDINGLY RECOMMEND THAT STATE GIVE EMPHASIS TO ACTION
TAKEN BY UN HIGH COMMISSIONER GRANTING REFUGEE STATUS
RATHER THAN TO MORE SPECULATIVE GROUNDS OF OUR SUPPOSITION
AS TO WHAT MIGHT HAPPEN TO APPLICANT OR TO WHAT HE ALLEGES
MIGHT HAPPEN.

4. PLEASE ADVISE STATUS OF ALVAREZ CASE, AND
WHETHER THERE IS ANY POSSIBILITY THIS MATTER CAN BE
HELD IN SUSPENSE PENDING FURTHER CONSULTATIONS BETWEEN
WASHINGTON AND MANILA.
SULLIVAN

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